

AMENDED IN SENATE APRIL 29, 2003

AMENDED IN SENATE APRIL 22, 2003

AMENDED IN SENATE APRIL 1, 2003

SENATE BILL

No. 54

Introduced by Senator Dunn

January 13, 2003

An act to amend Section 18610.5 of, and to add Section 18407 to, the Health and Safety Code, relating to mobilehomes.

LEGISLATIVE COUNSEL'S DIGEST

SB 54, as amended, Dunn. Mobilehomes.

(1) The existing Mobilehome Parks Act generally provides for enforcement of the act by a local enforcement agency.

This bill would make a legislative finding and declaration that it is necessary that the enforcement agency should notify a complainant regarding a violation of the act as to when the complaint will be investigated, and to advise the complainant of the findings of the inspector.

(2) The act prohibits creating, moving, shifting, or altering of park lot lines without written authorization of the local planning agency.

This bill, instead, would require the written authorization of the homeowner and a permit issued to the park owner or operator by the enforcement agency pursuant to prescribed procedures prior to creating, moving, shifting, or altering of park lot lines, as specified. Because a willful violation of the Mobilehome Parks Act is a misdemeanor, a willful violation of this requirement would constitute a crime. The bill would authorize the ~~enforcement agency~~ *Department of Housing and Community Development* to adopt a fee for the permit.

(3) The bill would create a state-mandated local program by imposing new duties on local agencies and by creating new crimes.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for specified reasons.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 18407 is added to the Health and Safety
2 Code, to read:

3 18407. The Legislature finds and declares that, because the
4 health and safety of mobilehome park occupants is a matter of
5 public interest and concern, it is necessary, pursuant to a complaint
6 about a violation of this part to the enforcement agency, that the
7 enforcement agency should notify the complainant in advance of
8 the date when the agency's inspector or representative is scheduled
9 to investigate the complaint, to ~~enable the complainant~~ give the
10 complainant an opportunity to be present to speak to the inspector
11 or representative, and that following an inspection of the
12 complaint, the agency contact the complainant to advise him or her
13 of the inspector's or representative's findings concerning the
14 complaint.

15 SEC. 2. Section 18610.5 of the Health and Safety Code is
16 amended to read:

17 18610.5. (a) Park lot lines shall not be created, moved,
18 shifted, or altered without a permit issued to the park owner or
19 operator by the enforcement agency and the written authorization
20 of the homeowner or homeowners, if any, of the lot or lots on
21 which the lot line will be created, moved, shifted, or altered.

22 (b) No park lot line shall be created, moved, shifted, or altered,
23 if the action will place the homeowner of a mobilehome or
24 manufactured home located on a lot in violation of any separation
25 or space requirements under this part or under any administrative
26 regulation.



1 (c) The park owner or operator shall submit a written
2 application for the lot line permit to the enforcement agency. The
3 application shall include a list of the names and addresses of the
4 homeowners of mobilehomes or manufactured homes located on
5 the lot or lots that would be altered by the proposed lot line change
6 and the written authorization of the homeowners. The
7 enforcement agency may require, as part of the application for the
8 permit, that a mobilehome park owner or operator submit to the
9 enforcement agency a detailed plot plan showing the dimensions
10 of each lot altered by the creation of, or change in, the lot lines. If
11 submission of a plot plan is required, the mobilehome park owner
12 or operator shall provide a copy of the plot plan to homeowners of
13 mobilehomes or manufactured homes located on each lot that
14 would be altered by the proposed lot line change and provide the
15 enforcement agency, as part of the application, with proof of
16 delivery by first-class postage prepaid of the copy of the plot plan
17 to the affected homeowners.

18 (d) The ~~enforcement agency~~ *department* may adopt a fee, by
19 regulation, payable by the applicant, for the permit authorized by
20 this section.

21 SEC. 3. No reimbursement is required by this act pursuant to
22 Section 6 of Article XIII B of the California Constitution because
23 the only costs that may be incurred by a local agency or school
24 district will be incurred because this act creates a new crime or
25 infraction, eliminates a crime or infraction, or changes the penalty
26 for a crime or infraction, within the meaning of Section 17556 of
27 the Government Code, or changes the definition of a crime within
28 the meaning of Section 6 of Article XIII B of the California
29 Constitution or because a local agency or school district has the
30 authority to levy service charges, fees, or assessments sufficient to
31 pay for the program or level of service mandated by this act, within
32 the meaning of Section 17556 of the Government Code.

